



# PUBLIC COMMENT

## SIGN IN SHEET

Tuesday, December 18, 2012

6:00 PM

**Limited to forty [40] minutes, four [4] minutes per person.**

Please be advised that citizens not utilizing their full four [4] minutes may not "donate" their remaining time to another speaker. As stated above, each speaker is restricted to a maximum of four [4] minutes.

**Citizens with comments related to a specific action agenda item will be called first.**

If time permits additional citizens may be permitted to speak on a non agenda items [at the discretion of the Chair].

### PRINT Information Below

	FULL NAME	AGENDA ITEM FOR DISCUSSION	NON-AGENDA ITEMS
1	RICHARD MARTINELLI	LAKE	LAKE LEVELS
2	SHARON CARMICHAEL		Green Water Ref. <sup>4</sup> <i>top</i>
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Everyone speaking before Council will be required to do so in a civil manner.

Council will not tolerate personal attacks on individual council members, county staff or any person or group.

Racial slurs will not be permitted. Council's number one priority is to conduct business for the citizens of this county.

All citizens who wish to address Council and all Boards and Commission appointed by Council should do so in an appropriate manner.

**NOTE:** Non Agenda Item matters can be addressed except for those which, due to law or proper protocol, would be inappropriate for public meetings of Council, such as, but not limited to, partisan political activity and/or comments.

*Council may make closing comments directly following the public & extended public comment sessions if time permits.*

# Clean Water Act Duke's Toxaway Permit



## CONCLUSIONS OF LAW

CAROLINA WATER SERVICE, INC. VS. SCDHEC  
DOCKET NUMBER: 01-ALJ-07-0365-CC

# The Clean Water Act



Provides for a comprehensive program to restore and maintain fishable and swimmable waters in the United States through the implementation of three main components:

- (A) Construction grants program,
- (B) Permit process,
- (C) Act's "numerous and disparate planning provisions."

## Clean Water Act envisioned water quality planning on four levels

- Basin planning Sec 209 of the Act
- State planning Sec. 106 and 303(e)
- Areawide or regional planning Sec. 208
- Facility planning Sec. 201 and 102

# Duke Toxaway Permit



- Involves Savannah River Basin Planning under Federal control with the US Corps of Engineers and regionally affected drinking water users
- May 2013 is “pencils down” date for planning purposes and the plan goes to legal drafters.

# Oconee County



- Question: Is the County involvement in the planning process satisfactory to protect sufficient water for Oconee County growth and development?

Susie Cornelius  
December 18, 2013

**STATE OF SOUTH CAROLINA  
OCONEE COUNTY  
RESOLUTION R2012-19**

**A RESOLUTION PROCLAIMING OCONEE COUNTY, SOUTH CAROLINA AS A  
PURPLE HEART COUNTY IN SOUTH CAROLINA**

**WHEREAS**, the Purple Heart is the oldest decoration in present use and was initially created as the Badge of Military Merit by General George Washington in 1782; and

**WHEREAS**, the Purple Heart was the first American service award or decoration made available to the common soldier and is specifically awarded to any member of the United States Armed Services wounded or killed in combat with a declared enemy of the United States; and

**WHEREAS**, the mission of the Military Order of the Purple Heart, chartered by an Act of Congress, is to foster an environment of goodwill among the combat wounded veteran members and their families, promote patriotism, support legislative initiatives, and most importantly, make sure we never forget; and

**WHEREAS**, Oconee County has had 210 residents make the ultimate sacrifice in armed conflicts since 1898 and has a large number of residents that have been awarded the Military Order of the Purple Heart for wounds received in combat, and

**WHEREAS**, Oconee County has a large population of highly decorated military members both active and retired living in its communities; and

**WHEREAS**, Oconee County recognizes the commitment and increasing sacrifices military families are making.

**NOW, THEREFORE**, that we, the members of the Oconee County Council, do hereby proclaim Oconee County as a **PURPLE HEART COUNTY** in the state of South Carolina.

**RESOLVED** this 18<sup>th</sup> day of December, 2012, in meeting duly assembled.

OCONEE COUNTY, SOUTH CAROLINA

By: \_\_\_\_\_  
Joel Thrift, Chairman of County Council  
Oconee County, South Carolina

ATTEST:

By: \_\_\_\_\_  
Elizabeth G. Hulse, Clerk to Council  
Oconee County, South Carolina

SOUTH CAROLINA'S ALTERNATIVE EDUCATION SCHOOL

# The Wil Lou Gray Opportunity School

ESTABLISHED 1921

*Why Stop Learning?*



*Instruction designed  
for your needs.*



PALMETTO GOLD SCHOOL

*For nearly a century, the Wil Lou Gray  
Opportunity School has been a popular choice  
for students seeking structure, instruction  
and job-based training.*

*Today, tucked away in a quiet  
residential setting, the Opportunity School  
continues its rich tradition of providing  
an education for students who struggle  
in the traditional classroom environment.*





## ACADEMIC TRAINING

*Expect to Excel*

- State Certified Teachers
- Caring Staff
- Quality Classroom



- GED Preparations
- Career Goals
- College 103: Through Midlands Technical College for Academically Eligible

## LEADERSHIP

*Expect to Become a Better Person*

- National and State-Award Winning JROTC Program
- On-site Challenge Course
- Life Skills Curriculum
- Productive Citizenship, Sense of Pride and Accomplishment



## WORKFORCE DEVELOPMENT

*Expect to Succeed*

- Job Readiness
- Career Exploration
- WorkKeys Assessment & Training
- Local Colleges and Universities
- College 103 Credit Through Midlands Technical College



## VOCATION EDUCATION

*Expect to Participate*

- Entrepreneurship
- Computer Literacy
- Pre-Accounting
- Building Construction
- Automotive Technology



## EXPECT TO ACHIEVE

We help our students achieve by placing them in an environment that is geared toward learning and applying new skills. Students are TABE tested (Test for Adult Basic Education) during the first week to determine their academic levels and skills. Then a specially designed blend of technology and self-paced GED tests provides customized opportunities to succeed academically. The unique residential environment encourages students to make new friends, develop self-confidence and gain community respect.

Our partners include the Midlands Workforce Development Board, the South Carolina Department of Education, the public school system, South Carolina Vocational Rehabilitation, Midlands Technical College, and select branches of the United States Military.



## HISTORY

Founded in 1921 by the late Dr. Wil Lou Gray, the Wil Lou Gray Opportunity School continues to be the state's leader in providing alternative education. As an agency of state government, the Opportunity School provides a wealth of academic and life skills training by state-certified teachers in modern classroom settings.

Dr. Gray adopted the motto "Why stop learning?" She dedicated her life to educating the undereducated.



Housed in an attractive residential environment in the heart of the capitol city, the school provides services to young men and women who are legal residents of South Carolina, 16 to 19 years of age.

*What are you going to do with your future?*





*We focus on student success*

*"For the first time in four years my son told me he studied ... He amazes me in every letter. I want to thank everyone who has a hand in molding my son into the person I know he could be ... You are giving me a gift that can never be forgotten ... thank all of you for the hard work you do and for showing these teens that there is a better road to take."*

*— Lee and Becky, Parents*

*"We were amazed at the change that had taken place in [our grandson]. This school may have saved him from jail — or even his life! We want to thank you for taking all of these teenagers... and doing such a great job with them!"*

*— Curtis & Beulah, Grandparents*



*Give it your all — get inspired*



*Enhance Social Skills*

*We invite you to visit us and experience the difference. Every student's success is of the utmost importance to us.*

Timothy T. Hunter  
Public Information Coordinator  
Ph: 803-896-6457  
Cell: 803-530-6809  
Email: [lhunter@wljges.sc.gov](mailto:lhunter@wljges.sc.gov)



Admissions: 803.896.6451  
Administration: 803.896.6480  
Fax: 803.896.6463

3300 West Campus Road  
West Columbia SC 29170

[www.willoughgray.org](http://www.willoughgray.org)



*State trained and certified teachers*



**PUBLIC HEARING  
SIGN IN SHEET**  
OCONEE COUNTY COUNCIL MEETING  
DATE: December 18, 2012 6:30 p.m.

Ordinance 2012-33 "AN ORDINANCE TO AMEND THE FISCAL YEAR 2012-2013 BUDGET APPROPRIATIONS ORDINANCE FOR OCONEE COUNTY IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AND OTHER MATTERS RELATED THERETO"

Written comments may be submitted at any time prior to the hearing for inclusion in the official record of the meeting.

*Everyone speaking before Council will be required to do so in a civil manner.*

*Council will not tolerate personal attacks on individual council members, county staff or any person or group. Racial slurs will not be permitted. Council's number one priority is to conduct business for the citizens of this county. All citizens who wish to address Council and all Boards and*

*Commission appointed by Council should do so in an appropriate manner.*

*Public comment during a public hearing is not limited to four minutes per person.*

Sign up sheets will be available thirty minutes prior to the hearing for those interested in addressing Council.

Written comments may be submitted at any time prior to the hearing for inclusion in the official record of the meeting.

Please submit written comments to the Clerk to Council, 415 South Pine Street, Walhalla, South Carolina, 29683.

**Please PRINT your name**

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*None*

**STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE  
ORDINANCE 2012-33**

**AN ORDINANCE TO AMEND THE FISCAL YEAR 2012-2013 BUDGET APPROPRIATIONS ORDINANCE FOR OCONEE COUNTY IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY; AND OTHER MATTERS RELATED THERETO**

**BE IT ORDAINED**, by the County Council for Oconee County, South Carolina, in meeting duly assembled, that:

**SECTION I:**

“AN ORDINANCE TO ESTABLISH THE BUDGET FOR OCONEE COUNTY AND TO PROVIDE FOR THE LEVY OF TAXES FOR ORDINARY COUNTY PURPOSES IN OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2012 AND ENDING JUNE 30, 2013”, Ordinance 2012-01, is hereby amended and modified to:

- 1) Provide for an increase in the amount of \$300,000, in the Aeronautics expenditure of Jet Fuel, noted as line item number 010-720-40990-00000 and a corresponding increase in the Jet Fuel revenue, noted as line item 010-080-00805-10990.
- 2) Provide for an increase in the amount of \$50,000 in the Aeronautics expenditure of AV Gas, noted in line item number 010-720-40980-00000 and a corresponding increase in the AV Gas revenue, noted as line item 010-080-00805-10980.

**SECTION II:**

The 2012-2013 Oconee County Budget is hereby amended by adding the following, for the aforestated purposes:

General Fund Revenues and Funding Sources

Jet Fuel Revenue Increase	\$300,000
AV Gas Revenue Increase	\$50,000

General Fund Appropriations

Jet Fuel Expenditure Increase	\$300,000
AV Gas Revenue Increase	\$50,000

**SECTION III:**

In the aggregate, the adopted fiscal year 2012-2013 budget, prior to these amendments stands at:

General Fund	\$ 43,179,332
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As so amended, herein, the new amended budget will be:

General Fund	\$ 43,529,332
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**SECTION IV:**

Except as specifically modified, amended or deleted herein, all appropriations of funds created by the "AN ORDINANCE TO ESTABLISH THE BUDGET FOR OCONEE COUNTY AND TO PROVIDE FOR THE LEVY OF TAXES FOR ORDINARY COUNTY PURPOSES IN OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2012 AND ENDING JUNE 30, 2013", Ordinance 2012-33, are hereby ratified and shall remain in full force and effect as originally adopted. All other sections of Ordinance 2012-01 not modified, directly or by implication shall likewise remain in full force and effect. This ordinance shall take effect immediately on approval on third reading. All ordinances and resolutions inconsistent herewith are, to the extent of such inconsistency only, hereby revoked, repealed, and rescinded.

Passed and approved this day, 18<sup>th</sup> day of December, 2012.

OCONEE COUNTY, SOUTH CAROLINA

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Joel Thrift, Council Chairman  
Oconee County, South Carolina

Attest:

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Elizabeth G. Hulse  
Clerk to Council

First Reading:	November 20, 2012
Second Reading:	December 4, 2012
Public Hearing:	December 18, 2012
Third & Final Reading:	December 18, 2012

**STATE OF SOUTH CAROLINA  
OCONEE COUNTY  
ORDINANCE 2012-34**

**AN ORDINANCE TO AMEND SECTION 38-11.2, ENTITLED *I-85 OVERLAY DISTRICT*, OF CHAPTER 38, ENTITLED *ZONING*, OF THE OCONEE COUNTY CODE OF ORDINANCES IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY; AMEND THE OFFICIAL OCONEE COUNTY ZONING MAP INCORPORATED THEREIN; AND OTHER MATTERS RELATED THERETO.**

**WHEREAS**, Oconee County, South Carolina (the "County"), a body politic and corporate and a political subdivision of the State of South Carolina (the "State"), acting by and through its governing body, the Oconee County Council (the "County Council"), has previously adopted multiple ordinances for the effective, efficient governance of the County, which, subsequent to adoption, are codified in the Oconee County Code of Ordinances (the "Code of Ordinances"), as amended, from time to time; and

**WHEREAS**, Chapter 38, entitled *Zoning*, of the Code of Ordinances, contains terms, provisions, procedures, and the official zoning maps applicable to zoning in the County; and

**WHEREAS**, from time to time, provisions of the Code of Ordinances need to be amended, to update such provisions, to clarify guidelines and procedures and rules applicable to County government, to keep the Code of Ordinances in concert and accord with State and County law and regulations and to meet the changing needs of the County; and

**WHEREAS**, there is a need to amend the zoning procedures, maps, and law of the County, to keep the Code of Ordinances in concert and accord with State and County law and regulations and to meet the changing needs of the County; and

**WHEREAS**, there is a need to amend, specifically, Section 38-11.2, entitled *I-85 Overlay District*, of Chapter 38, entitled *Zoning*, of the Code of Ordinances, and the Official Oconee County Zoning Map incorporated therein:

**NOW, THEREFORE**, it is hereby ordained by the County Council, in meeting duly assembled that:

1. The statements of fact and policy from the preamble of this ordinance are hereby adopted, as findings of fact, by the County Council, in their entirety, and are hereby adopted by reference, as part of the ordaining language of this ordinance as fully as if set forth verbatim herein.
2. The entire content of the current Section 38-11.2, entitled *I-85 Overlay District*, of Chapter 38, entitled *Zoning*, of the Code of Ordinances, is hereby revoked,

rewritten, stricken, and replaced in its entirety with the rewritten Section 38-11.2 set forth in **Exhibit A**, which is hereby incorporated herein as fully as if set forth verbatim, herein.

3. The Official Oconee County Zoning Map previously adopted by Section 38-11.2, entitled *I-85 Overlay District*, of Chapter 38, entitled *Zoning*, of the Code of Ordinances is hereby revoked, rewritten, stricken, and replaced in its entirety with the rewritten Official Oconee County Zoning Map as set forth in **Exhibit B**, which establishes the Fair Play Village Sub-district and its boundaries, and which is hereby incorporated herein as fully as if set forth verbatim, herein.
4. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the rest and remainder of this Ordinance, all of which is hereby deemed separable.
5. All ordinances, orders, resolutions, and actions of the County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded. However, nothing contained herein, or in **Exhibit A** or **Exhibit B** hereto, shall cancel, void, or revoke, or shall be interpreted as cancelling, voiding, or revoking in any regard any prior zoning or rezoning acts, actions, or decisions of the County or the County Council, in any regard.
6. All other terms, provisions, and parts of the Code of Ordinances not amended hereby, directly or by implication, shall remain in full force and effect.
7. This Ordinance shall take effect and be in full force and effect from and after the third reading and the public hearing and enactment by the County Council in accordance with the Code of Ordinances.

Ordained in meeting, duly assembled, this \_\_\_ day of \_\_\_\_\_, 2013.

**ATTEST:**

\_\_\_\_\_  
Elizabeth Hulse,  
Clerk to Oconee County Council

\_\_\_\_\_  
Joel Thrift,  
Chairman, Oconee County Council

First Reading: November 20, 2012 [in title only]  
Second Reading: December 18, 2012  
Public Hearing: \_\_\_\_\_  
Third Reading: \_\_\_\_\_



## EXHIBIT A

### Sec. 38-11.2. I-85 Overlay District.

*Title:* I-85 overlay district.

*Definition:* The I-85 overlay district is not intended to be a separate zoning district, but shall be assigned to those areas county council has determined to be essential to the future economic prosperity and general well being of all Oconee county citizens.

*Intent:* The overlay is intended to promote development that reflects the best building and site design practices in a manner that will maintain the greatest marketability of the area over time, while limiting any negative effects that may impact the existing lifestyle of the area's citizens.

*Boundary:* The boundaries of the I-85 overlay district shall be shown on the Official Oconee County Zoning Map:

The I-85 overlay district shall be divided into the following sub-districts:

- (a) Carolina Gateway (Interstate 85).
- (b) Fair Play Village.
- (c) Cleveland Creek.

#### *Standards:*

- 1) No new residential subdivision development consisting of more than ten (10) residential housing units proposed for any sub-district of the I-85 Overlay shall have a gross density not greater than one dwelling unit per acre, unless otherwise specified by this chapter.
- 2) Sexually Oriented Businesses, as defined by the Unified Performance Standards Chapter of the Oconee County Code of Ordinances, shall not be located in the I-85 Overlay District.

The following standards shall apply within one or more of the sub-districts of the I-85 Overlay, as specified:

#### **1) Carolina Gateway Sub-district:**

A. The regulations contained within Appendix A of this Chapter shall apply in their entirety to all non-residential uses within the Carolina Gateway (Interstate 85) overlay, excluding agriculture uses.

#### **2) Fair Play Village Sub-district:**

A. All new primary and accessory *residential* buildings proposed to be located within the boundaries of the Fair Play Village Sub-district shall be subject to the following standards:

- 1. Maximum Density: Two (2) Dwelling Units per acre.
- 2. Setbacks: Front – Twenty Five (25) Feet; Side – Five (5) Feet; Rear – Ten (10) Feet.

B. All new lots/parcels shall have a minimum lot width on road frontage of one hundred (100) feet.

C. All structures and properties *located in the Fair Play Village Overlay* constructed, installed or maintained in such a manner as to permit the harborage of rodents, mosquitoes, or any other pest or vermin, shall within 30 days of notification (by certified mail) by the Zoning Administrator repair, upgrade, clean or otherwise improve the structure or property so as to mitigate the situation. In the event the owner of a structure deemed to be in violation of this standard can demonstrate the need for additional time beyond 30 days from the date of notification to complete necessary work, provided all imminent hazards to residents and the public have been mitigated, the Zoning Administrator may grant up to an additional 60 days for completion.

D. Proposed structures to be located in the Fair Play Village Sub-district subsequent to the adoption of this standard shall be subject to the following:

1. All non-residential and non-agricultural structures and uses shall conform to the standards established in Appendix A of this Chapter, and excepting those required by this or any other Chapter of the Oconee County Code of Ordinances to be approved as a Special Exception by the Oconee County Board of Zoning Appeals, shall be subject to review and approval by the Oconee County Planning Commission.

2. Single-family residential developments proposed to consist of greater than two (2) units, and all multi-family residential developments, shall be subject to review and approval by the Oconee County Planning Commission.

3. Proposed structures, of any type, intended for occupancy shall meet the following standards:

- i. Foundations and/or underpinning shall be constructed of concrete, masonry (brick or block), or similar material, and designed so as to provide a continuous, permanent, and attractive impediment to the harborage of rodents and vermin.
- ii. A lawn or landscaped area cleared of weeds, excess undergrowth, and any other materials or debris that may attract rodents, mosquitoes, and other potential threats to occupants and/or the public shall be established for each residential unit prior to final approval for occupation.
- iii. Access to residences shall be from an all-weather driveway and/or parking area.

4. New development proposed to be located in the area delineated on the Official Oconee County Zoning Map as the 'Village Center' of the Fair Play Village Sub-district shall, in addition to all other standards applicable to the Fair Play Village Sub-district, be subject to the

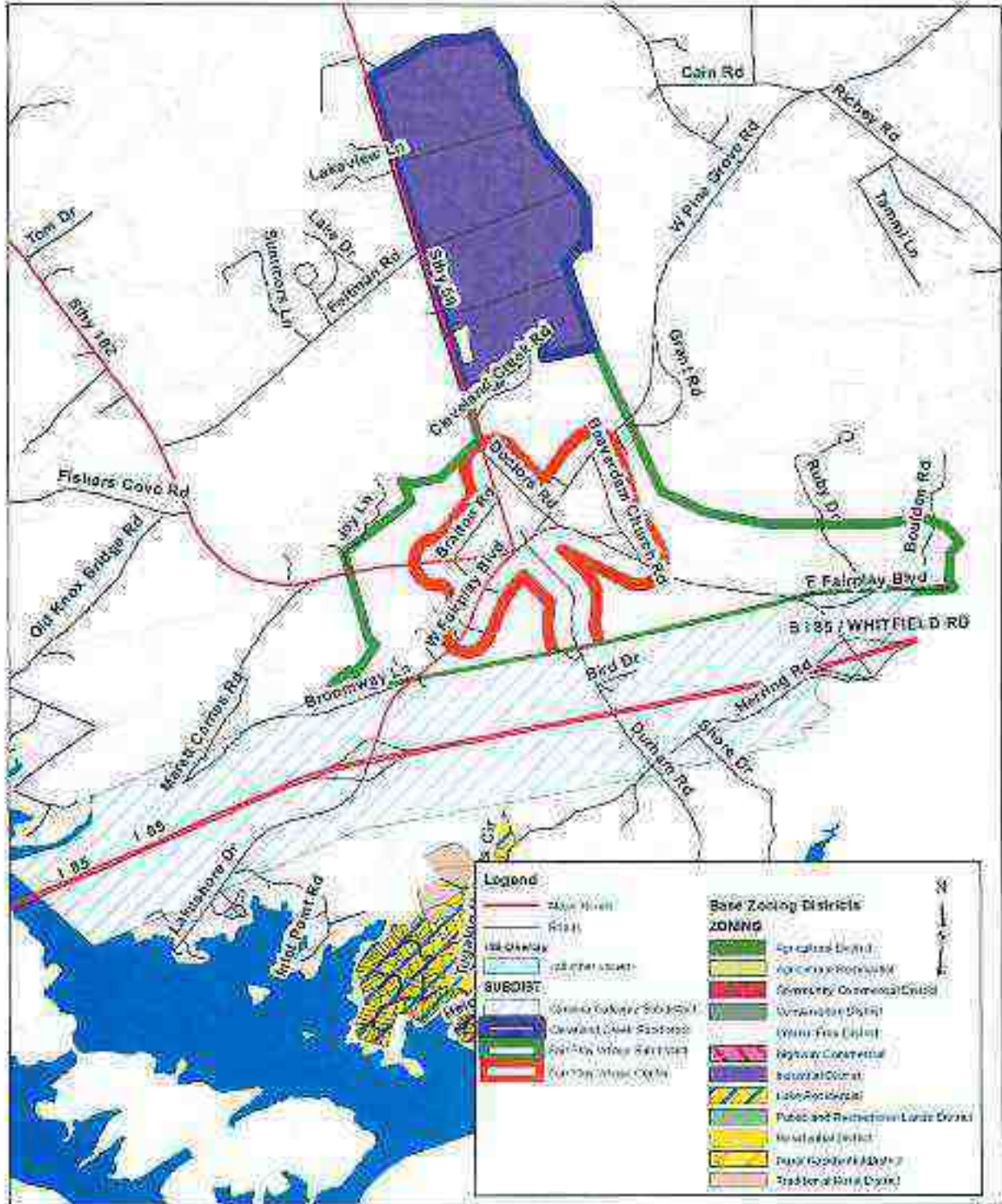
following:

- i. Orientation: All new primary residential structures located in the Village Center shall be oriented to the public thoroughfare.
- ii. All industrial uses shall be approved as a Special Exception by the Board of Zoning Appeals.
- iii. The height of all proposed structures shall be no greater than thirty (30) feet, to be determined by measures approved in adopted building codes.

5. Free-standing signage of any type subject to permit by this Chapter of the Code of Ordinances, to include monument or other signage not attached to or otherwise supported by a primary structure, shall not exceed seven (7) feet in height above grade. No signage shall be situated or installed on a berm or other elevated surface or device intended to increase the height of a sign subject to this standard.

# EXHIBIT B

Ordinance 2012-34



**STATE OF SOUTH CAROLINA  
OCONEE COUNTY  
RESOLUTION R2012-16**

**A RESOLUTION TO SUPPORT THE DEVELOPMENT, IMPLEMENTATION AND MAINTENANCE OF THE UPSTATE AIR QUALITY ACTION PLAN AND CLEAN AIR INITIATIVE IN AN EFFORT TO PROMOTE LOCAL AND REGIONAL ATTAINMENT OF ANTICIPATED CHANGES TO NATIONAL AMBIENT AIR QUALITY STANDARDS THROUGH SUPPORT OF OUTREACH AND EDUCATIONAL EFFORTS, AND OTHER APPROPRIATE STRATEGIES**

**WHEREAS**, the U.S. Environmental Protection Agency (EPA) is required by the Clean Air Act to review and, if necessary, revise air quality standards every five years to ensure the public health is protected with an adequate margin of safety; and,

**WHEREAS**, Oconee County and its neighboring Upstate South Carolina jurisdictions are currently in attainment with existing National Ambient Air Quality Standards (NAAQS); and

**WHEREAS**, it is expected that EPA will review and propose and finalize changes to NAAQS in the near future that will lower permissible limits to levels unlikely to be attained by all of the Upstate South Carolina region; and,

**WHEREAS**, improving air quality and maintaining clean air is critical for both physical health and economic vitality; and,

**WHEREAS**, air quality is not impacted by jurisdictional boundaries, with only regional efforts offering the potential for improvement; and,

**WHEREAS**, the Upstate Air Quality Advisory Committee has initiated a regional effort to proactively address anticipated changes through the development of the Upstate Air Quality Action Plan and Clean Air Upstate initiative; and,

**WHEREAS**, numerous public and private entities from across Upstate South Carolina have already, or will soon, pledge their support to this regional effort;

**NOW, THEREFORE, BE IT RESOLVED BY THE OCONEE COUNTY COUNCIL THAT:**

1. Oconee County supports the Clean Air Upstate initiative, the development and implementation of the Upstate Air Quality Action Plan, and regional outreach and education efforts; and,
2. Oconee County will consider implementing appropriate specific strategies and actions designed to assist Upstate South Carolina in maintaining attainment with NAAQS, and thereby promote public health, economic development, and help ensure the region reaches its full potential.

**RESOLVED** this 18th day of December, 2012, in meeting duly assembled.

ATTEST:

By: \_\_\_\_\_  
Elizabeth G. Hulse, Clerk to County Council  
Oconee County, South Carolina

By: \_\_\_\_\_  
Joel Thrift, Chairman of County Council  
Oconee County, South Carolina

**AGENDA ITEM SUMMARY**  
**OCONEE COUNTY, SC**

**COUNCIL MEETING DATE:** December 18, 2012

**COUNCIL MEETING TIME:** 6:00 PM

**ITEM TITLE [Brief Statement]:**

**First Reading [in title only] of Ordinance 2012-35 "AN ORDINANCE TO AMEND CHAPTER 38 "ZONING" OF THE OCONEE COUNTY CODE OF ORDINANCES, INCLUDING ALL ZONING MAPS INCORPORATED THEREIN AND THEREBY, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY; AND OTHER MATTERS RELATED THERETO "**

**BACKGROUND DESCRIPTION:**

The proposed ordinance, 2012-35 (Lay Mill Rd), stems from a small area method request submitted by Mrs. Janet H. Loe. The request consists of 8 parcels totaling 228 acres in the vicinity of the intersection of Lay Mill Rd. and Hwy 11 in the Salem area. The parcels are located in the rural area on the Future Land Use Map. As submitted, all parcels would be rezoned into the Traditional Rural District. There is a signed petition for each parcel submitted in the proposed request.

**SPECIAL CONSIDERATIONS OR CONCERNS [only if applicable]:**

None

**FINANCIAL IMPACT [Brief Statement]:**

Check Here if Item Previously approved in the Budget. No additional information required.

**Approved by :** \_\_\_\_\_ **Finance**

**COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:**

Are Matching Funds Available: Yes / No

If yes, who is matching and how much:

**Approved by :** \_\_\_\_\_ **Grants**

**ATTACHMENTS**

Maps of rezoning proposal as submitted, and the request's location on the Future Land Use Map.

**STAFF RECOMMENDATION [Brief Statement]:**

It is staff's recommendation that Council [1] take first reading (in title only) of Ordinance 2012-35, and [2] refer the matter to the Planning Commission for the required review.

**Submitted or Prepared By:**

**Approved for Submittal to Council:**

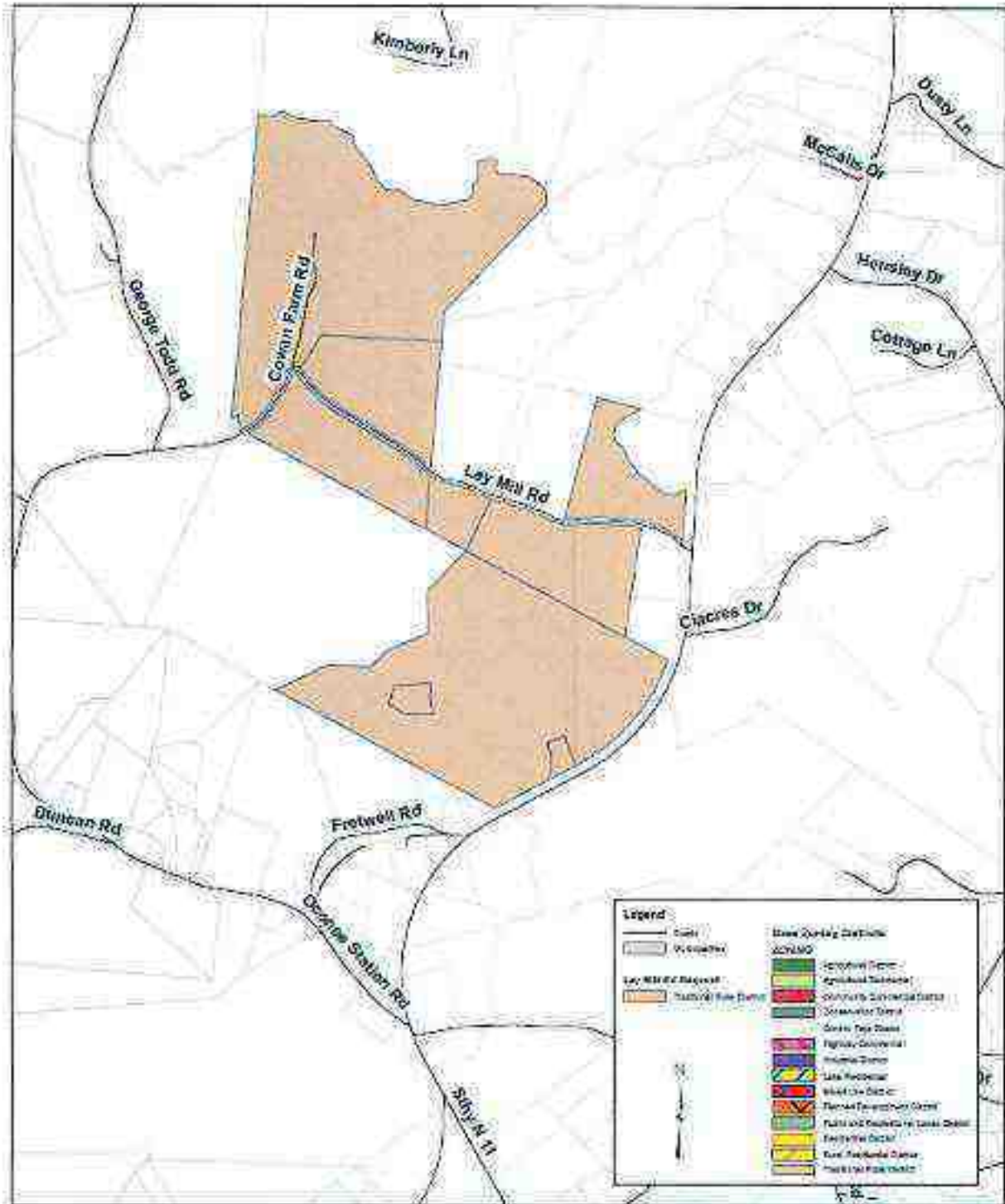
\_\_\_\_\_  
**Department Head/Elected Official**

  
**T. Scott Moulder, County Administrator**

*Council has directed that they receive their agenda packages a week prior to each Council meeting, therefore, Agenda Items Summaries must be submitted to the Administrator for his review/approval no later than 12 days prior to each Council meeting. It is the Department Head / Elected Officials responsibility to ensure that all approvals are obtained prior to submission to the Administrator for inclusion on an agenda.*

*A calendar with due dates marked may be obtained from the Clerk to Council.*

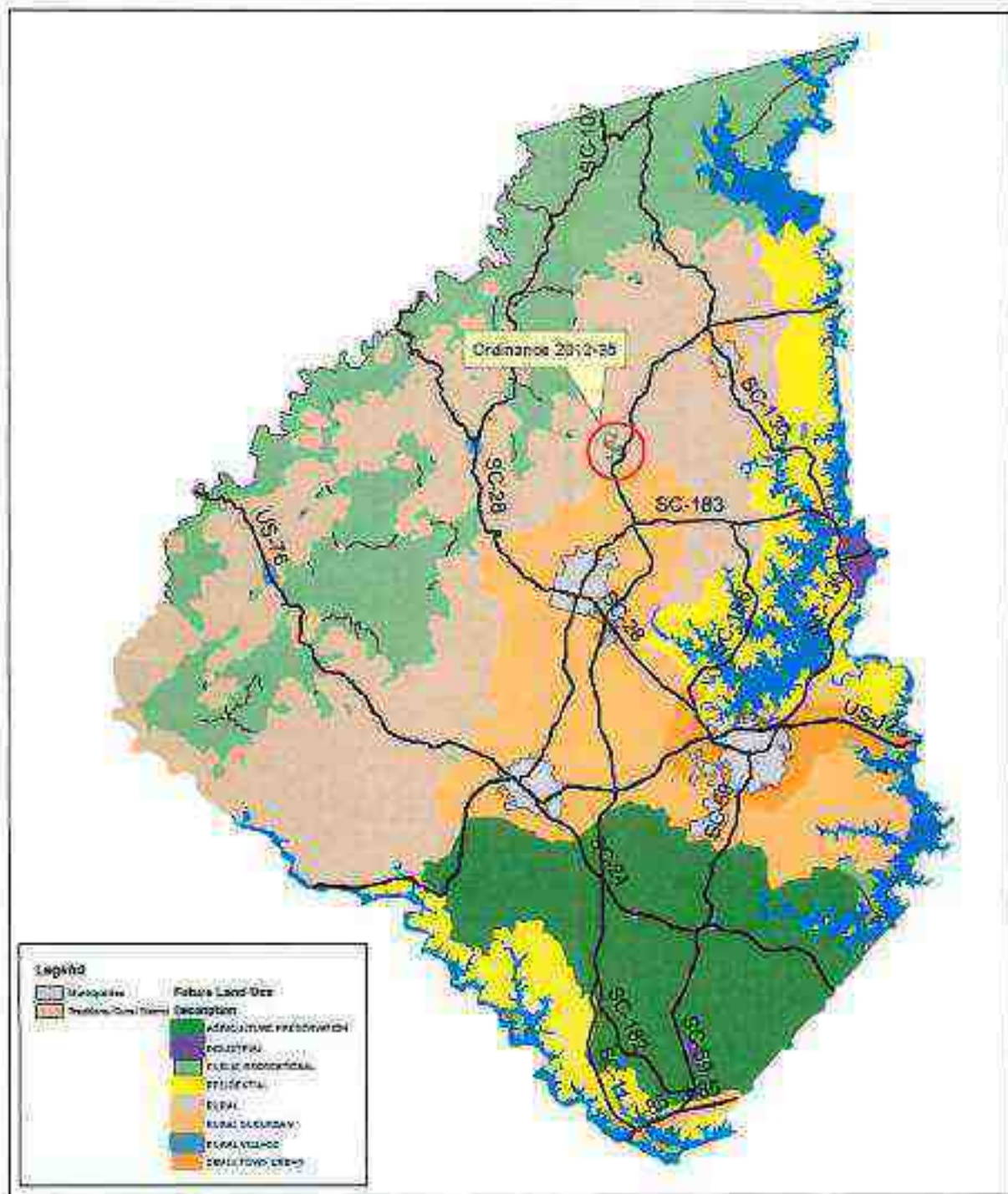
Proposed Ordinance 2012-35 Lay Mill Rd Request (As Petitioned)



*Council has directed that they receive their agenda packages a week prior to each Council meeting, therefore, Agenda Items Summaries must be submitted to the Administrator for his review/approval no later than 12 days prior to each Council meeting. It is the Department Head / Elected Officials responsibility to ensure that all approvals are obtained prior to submission to the Administrator for inclusion on an agenda.*

*A calendar with due dates marked may be obtained from the Clerk to Council.*

Ordinance 2012-35 Lay Mill Rd Rezoning Proposal (as submitted)  
Future Land Use Map Location



*Council has directed that they receive their agenda packages a week prior to each Council meeting, therefore, Agenda Items Summaries must be submitted to the Administrator for his review/approval no later than 12 days prior to each Council meeting. It is the Department Head / Elected Officials responsibility to ensure that all approvals are obtained prior to submission to the Administrator for inclusion on an agenda.*

*A calendar with due dates marked may be obtained from the Clerk to Council.*



**AGENDA ITEM SUMMARY**  
**OCONEE COUNTY, SC**

**COUNCIL MEETING DATE:** December 18, 2012

**COUNCIL MEETING TIME:** 6:00 PM

**ITEM TITLE [Brief Statement]:**

**First Reading [in title only] of Ordinance 2012-36 "AN ORDINANCE TO AMEND CHAPTER 38 "ZONING" OF THE OCONEE COUNTY CODE OF ORDINANCES, INCLUDING ALL ZONING MAPS INCORPORATED THEREIN AND THEREBY, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY; AND OTHER MATTERS RELATED THERETO"**

**BACKGROUND DESCRIPTION:**

The proposed ordinance, 2012-36 (Gladys Cir), stems from a small area method request submitted by Mrs. Terri Perkins. The request consists of 47 parcels totaling approximately 17 acres located along Gladys Cir, Timpson Ln, Debbie Ln, and Sherry Ln, which are located in the Port Bass subdivision. The parcels are located in the residential area on the Future Land Use Map. As submitted, all parcels would be rezoned into the Lake Residential District. This request meets the requirements set forth in Zoning Enabling Ordinance.

**SPECIAL CONSIDERATIONS OR CONCERNS [only if applicable]:**

None

**STAFF RECOMMENDATION [Brief Statement]:**

It is staff's recommendation that Council [1] take first reading (in title only) of Ordinance 2012-36, and [2] refer the matter to the Planning Commission for the required review.

**FINANCIAL IMPACT [Brief Statement]:**

Check Here if Item Previously approved in the Budget. No additional information required.

Approved by : \_\_\_\_\_ Finance

**COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:**

Are Matching Funds Available: Yes / No

If yes, who is matching and how much:

Approved by : \_\_\_\_\_ Grants

**ATTACHMENTS**

Maps of rezoning proposal as submitted, and the request's location on the Future Land Use Map.

Submitted or Prepared By:

Approved for Submittal to Council:

\_\_\_\_\_  
Department Head/Elected Official

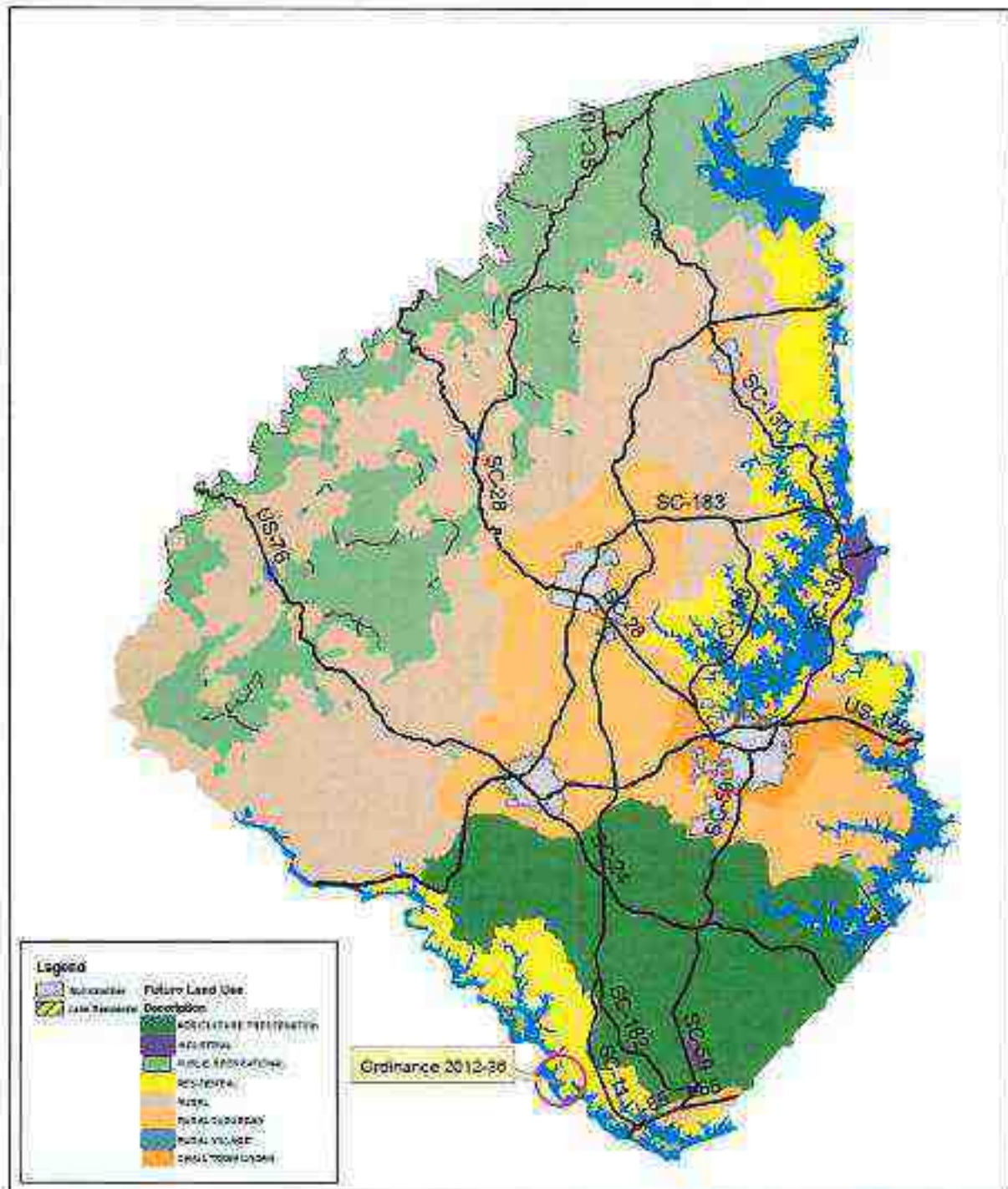
  
T. Scott Moulder, County Administrator

*Council has directed that they receive their agenda packages a week prior to each Council meeting, therefore, Agenda Items Summaries must be submitted to the Administrator for his review/approval no later than 12 days prior to each Council meeting. It is the Department Head / Elected Officials responsibility to ensure that all approvals are obtained prior to submission to the Administrator for inclusion on an agenda.*

*A calendar with due dates marked may be obtained from the Clerk to Council.*



Ordinance 2012-36 Gladys Cir Rezoning Proposal (as submitted)  
Future Land Use Map Location



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**PROCUREMENT - AGENDA ITEM SUMMARY**  
OCONEE COUNTY, SC

COUNCIL MEETING DATE: December 18, 2012


**ITEM TITLE:**

**Title:** Emergency Repairs to Jaw Crusher

**Department:** Quarry

**Amount:** \$73,040.00

**FINANCIAL IMPACT:**

- Procurement was approved by Council in Fiscal Year 2012-2013 budget process.
  - CONTINGENCY FUNDING: Amount/Percent: 10%
- Description: Repair is still in process and may need additional items not included in quote.  
Finance Approval: 

**BACKGROUND DESCRIPTION:**

The jaw crusher plant became inoperable on November 19, 2012. Since the jaw crusher is critical to the economy of the quarry (if rock cannot be broken down into appropriate products then the products cannot be produced), emergency repair procedures were initiated immediately. A hydraulic crane was rented to remove the jaw crusher and the County Road department transported the crusher to Capital City Machine Shop in Doraville, GA to provide an initial estimate and begin authorized repairs. Capital City Machine Shop is the only authorized dealer that can make the needed repairs that is located close enough geographically to Oconee County to allow for the crusher to be transported. The repairs could not be done on site. The repair should be completed and the jaw crusher delivered back to the Rock Quarry by December 19, 2012.

**SPECIAL CONSIDERATIONS OR CONCERNS:**

The County Administrator was advised of the situation initially and instructed the Quarry to proceed with the emergency repairs needed to keep the Quarry operational. The cost of this repair does not exceed the Rock Quarry's budgeted amount for maintenance of equipment.

**ATTACHMENT(S):**

- I. Capital City Machine Shop quotation.

**STAFF RECOMMENDATION:**

It is the staff's recommendation that Council ratify and approve the County Administrator's actions to issue an emergency sole source purchase order to Capital City Machine Shop, in Doraville, GA up to the amount of \$73,040.00, which includes a contingency of 10% if needed.

Submitted or Prepared By:   
Robyn Courtright, Procurement Director

Approved for Submittal to Council:   
T. Scott Moulder, County Administrator

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# Quote

The Capital City Machine Shop, Inc

Date: Nov. 29, 2012

6100 Ross Road. Doraville. GA 30340

Tel: 770-447-9545 Fax: 770-441-8566

To: Rick Martin  
Oconee County Rock Quarry

Salesperson                      Job                      Payment Terms                      Due Date  
Mike McClure

Qty	Description	Unit Price	Line Total
1.00	Dismantle Telsmith 3055 pitman Clean and inspect all parts Assemble with new parts needed Customer to supply all purchase parts. Extra work needed		
1.00	Weld and linebore pitman and mainframe		
1.00	Weld wash out on bearing caps.		
4.00	Fabricate main cap studs		
1.00	Fabricate new barrel wear plate		
1.00	Cut toe off pitman and weld new one on.		
1.00	Flip stationary and pitman dies		
1.00	Fabricate new feed box		
2.00	Weld and remachine flywheel bores and keyways		
1.00	Turn mainshaft ends and polish		
8.00	Bolts and nuts for flywheel and sheeve		
1.00	Welding materials hardware misc.		
	Delivery December 17, 2012		\$66,400.00
	Over time delivery 2 week ends December 13, 2012		\$7,400.00

Best Regards,  
Mike McClure  
Operations Manager  
Cell # 678-725-8377  
E-mail: mmclure@capitalcitymachine.com

Subtotal \$ 73,800.00  
Sales Tax  
Total \$ 73,800.00

Thank you for your business!

# PROCUREMENT - AGENDA ITEM SUMMARY

OCONEE COUNTY, SC

COUNCIL MEETING DATE: December 18, 2012

## ITEM TITLE:

Title: **Tellabs Switching Equipment, Sole Source**

Department(s): **IT / Broadband Project FOCUS**

Amount: **\$99,988.75**

## FINANCIAL IMPACT:

GRANT FUNDING: Utilizing Matching Funds:  Yes  No / Grant Amount: **\$9.6M**, total amount with matching **\$14,306,764.00**

Source: **Federal ARRA grant**

Finance Approval: *Mark H. Balkema*

Grant Approval: *Jeri Wilbanks*

## BACKGROUND DESCRIPTION:

On August 18, 2010, Oconee County received \$9.6M in Federal ARRA funding to construct a 270 mile (approximate) broadband network in the County. This project will provide critical broadband infrastructure that will benefit the County through connection of 164 Anchor Institutions and by providing much needed high speed data. The total number of households that will be passed by the project is 25,200, total businesses passed by is 2,238. The Project will be involved with approximately 75 public facilities including hospitals, schools, libraries, health care facilities and emergency shelters.

This order is for Tellabs switching equipment, purchased directly from the manufacturer. It will be used in the Network Operations Centers for Project FOCUS. Equipment connects the Cisco ASR 9000 to Tellabs 7100 integrating 4 lambdas.

## SPECIAL CONSIDERATIONS OR CONCERNS:

In October 2011, Council awarded ITB 11-09 for Tellabs Switching Equipment to AFL Networks. AFL Networks is no longer an authorized Tellabs dealer. Per the attached letter, Tellabs, the manufacturer, is offering to sell this additional equipment directly to the County without any dealer involvement at a significant savings to the County.

## ATTACHMENT(S):

1. Sole Source letter from Tellabs
2. Tellabs Quotation

## STAFF RECOMMENDATION:

It is the staff's recommendation that Council approve the purchase of Tellabs Switching Equipment, directly from Tellabs of Naperville, IL as a sole source purchase in the amount of \$99,988.75.

Submitted or Prepared By: *Robyn Courtright*  
Robyn Courtright, Procurement Director

Approved for Submittal to Council: *T. Scott Moulder*  
T. Scott Moulder, County Administrator

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Tellabs  
One Tellabs Place  
1475 West Clell Rd.  
Naperville, IL 60563  
Tel: +1 630 798 6800  
Fax: +1 630 798 2100  
www.tellabs.com

December 3<sup>rd</sup>, 2013

Oconee County  
Ms. Robyn M. Courtright, CPPC  
Procurement Director  
415 South Pine Street  
Wallisla, SC 29691

Dear Ms. Courtright,

I would first like to take this time to pass along my personal thanks and gratitude on behalf of myself, and Tellabs for the opportunity Oconee County has extended in what I would describe as an ideal partnership for both respective sides. I, along with our sales support, operations, and management teams, have thoroughly enjoyed working with Oconee County during this past year's network deployments. As we look forward to the future of our continued partnership I would like to make you aware of one change that has been made by Tellabs in regards to AFI Network Services.

Due to a strategic realignment within the Tellabs Channel Sales organization, we will no longer be continuing forward with AFI Network Services as an authorized channel partner for the resale of Tellabs products. In listening to the specific needs of our customer, Oconee County, along with the observations made on Tellabs part during this past year, we have recognized the need to move your account into a direct sales relationship as an effort to better serve the County and all who are benefited by this network.

This change will not bring an increase in pricing nor decrease in support of any kind across the Tellabs board. As in the past, I will continue to be the Oconee County Account Manager should you require assistance of any kind from Tellabs.

Once again thank you for allowing us the privilege of this continued partnership as we move into tomorrow and beyond. If you have any questions or concerns at all please don't hesitate to contact me at: 219-785-1737.

Sincerely,

Joseph H. Villarreal  
Executive Account Manager  
North America Channel Sales

**Tellabs Proposal No. B2186896 Rev C**  
**Oconee County FOCUS**

---

Tellabs North America  
1415 West Diehl Road  
Naperville, IL 60563  
Telephone +1.800.443.5555

November 28, 2012

Mike Powell  
FOCUS  
415 South Pine Street  
Walhalla, SC 29691

Phone: +1.864.247.5813

E-mail: mpowell@oconeesc.com

**Subject: Tellabs Proposal No. B2186896C**  
**Site Name:**

Dear Mike Powell,

It is our pleasure to respond to your quotation request for equipment and/or services for your site. Our intent is to satisfy your requirements in the most efficient way possible by offering a combination of reliable equipment along with effective customer support.

The following pages list the equipment and services required for your application. A proposal summary is included for your convenience.

This proposal is valid until April 2, 2013. Payment terms are Net 30 Days from the date of the invoice. All shipments are FOB, FOB Origin. Shipping charges are prepaid and invoiced accordingly.

To place an order for equipment and services, please email your purchase order to KeyMarketsDist@tellabs.com. To confirm ship dates, please contact Jeremy Stofko at +1.630.798.4174. **Please reference the above Tellabs Proposal Number** when placing an order for this equipment. Unless otherwise agreed in writing, sales of Tellabs Deliverables are subject to Tellabs Standard Terms and Conditions available at <http://www.tellabs.com/legal/deliverableterms.shtml>. For more information or clarification of the information and services described in these Policies, please contact your local Tellabs sales office or visit [www.tellabs.com](http://www.tellabs.com).

If you have any additional questions regarding this proposal, please contact me at +1.303.832.2315 or Joseph Villarreal at +1.219.785.1737.

Sincerely,  
Jerod Munson  
System Sales Engineer

cc: Joseph Villarreal, Account Manager



**Tellabs Proposal No. B2186896 Rev C**  
**Oconee County FOCUS**

---

**PRICING SUMMARY**

**Tellabs 7100**

OCONEE COUNTY ESM20		115,438.75
	<b>System Subtotal</b>	<b>115,438.75</b>
	<b>Manager Discount</b>	<b>(15,450.00)</b>
	<b>System Subtotal (including System Discount)</b>	<b>99,988.75</b>
	<b>Proposal Total</b>	<b>99,988.75 USD</b>

November 28, 2012

# OCONEE COUNTY FOCUS

Proposal For:

**Tellabs 7100**

Pricing based on the following configuration

Prepared by:

**Jerod Munson**

**System Sales Engineer**

**+1.303.832.2315**

**Tellabs Proposal No. B2186896 Rev C**  
**Oconee County FOCUS**

---

*System Pricing Details for FOCUS*

**EQUIPMENT FOR:OCONEE COUNTY ESM20**

<b>item</b>	<b>model # description</b>	<b>qty</b>	<b>net price</b>	<b>extended price</b>
<b>Nano</b>				
1	81.0717PS-KIT-A 7100 NANO PORT SHELF KIT - 23	3	1,520.00	4,560.00
2	81.71770A 7100 NANO 23	3	173.85	521.55
<b>System Mechanics</b>				
3	81.71YCBL-SM-5M Y-CABLE 5 METER SINGLE MODE	6	232.00	1,392.00
<b>Common Modules</b>				
4	81.71000C 7100 BLANK FILLER MODULE	10	128.00	1,280.00
5	82.71714-R5 NANO SYSTEM PROCESSOR MODULE	3	1,425.00	4,275.00
<b>Multiplexer Interface Modules</b>				
6	81.71M-ESM20-R5 ETHERNET SWITCHING MODULE (20G) - ESM20	7	8,324.00	58,268.00
<b>Port Pluggable Optics</b>				
7	81.71T-XDWDM-R6 TUNABLE DWDM XFP	6	6,526.50	39,159.00
8	82.S1GBELX1131S SFP: GBE/FC/FICON, LX, 1310 SM HD LATCH	36	166.20	5,983.20
<b>OCONEE COUNTY ESM20 TOTAL</b>				<b>115,438.75USD</b>
			<b>Subtotal</b>	<b>115,438.75USD</b>
			<b>Manager Discount</b>	<b>(15,450.00)</b>
			<b>Total</b>	<b>99,988.75USD</b>

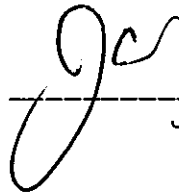
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**PUBLISHER'S AFFIDAVIT**

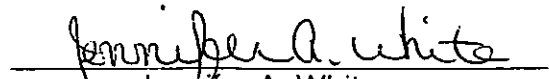
**STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE**

**IN RE:           Oconee County Council  
                      Public Hearing  
                      Re: Ordinance 2012-33  
                      December 18, 2012**

**BEFORE ME** the undersigned, a Notary Public for the State and County above named, this day personally came before me, Jerry Edwards, who being first duly sworn according to law, says that he is the Publisher of **THE JOURNAL**, a newspaper published Tuesday through Saturday in Seneca, SC and distributed in **Oconee County, Pickens County** and the Pendleton area of **Anderson County** and the notice (of which the annexed is a true copy) was inserted in said paper on November 27, 2012 and the rate charged therefore is not in excess of the regular rates charged private individuals for similar insertions.

  
-----  
Jerry Edwards  
Publisher

Subscribed and sworn to before me this  
27th day of November A.D. 2012

  
-----  
Jennifer A. White  
Notary Public for South Carolina  
My Commission Expires: 05/18/2014

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**ALL JUNK CARS**  
We pay \$250 - \$1000  
for cars, trucks, buses  
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Pickup • Cash Paid  
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864-378-3001

**161 AUTOS FOR SALE**

2001 PT CRUISER, one owner, 65,000 miles, black/grey, leather, 5 speed manual. Every option \$6,900. 864-682-2602.



2007 BURGUNDY 2WD, Chevy, 504, Trail Blazer, 162K Ray, miles, dual & real air. Looks & runs great! \$8,000 OBO. Ken, 664-710-3776

HYBRID-SATURN VUE 2009, 87K, White, Gray Cloth,  
On Star, CD player,  
\$14,800 OBO  
Call 864-710-5760

**LEGALS**

**OCCOKEE COUNTY COUNCIL**  
JANUARY 2013  
MEETING SCHEDULE  
Ocokee County Council will meet in January 2013 on the second and fourth Tuesday (January 8, 2013 & January 22, 2013) at 6:00 p.m. in Council Chambers, 415 South Pine Street, Waltham, South Carolina. The remainder of the 2013 meeting schedule will be established at the January 8th meeting.

Notice of Decision  
Soil and Rock  
Sampling for the  
Land Bridge Road  
Relocation Project  
Sumter National Forest  
Andrew Pickens

**LEGALS**

26,2012, allowing the Ocokee County Road Department to drill holes to collect soil and rock samples to determine whether or not new locations being considered for the bridge and road approaches are feasible. Copies of the Decision Memo are available at the USDA Forest Service Sumter National Forest, Stumphouse Ranger Station, 112 Andrew Pickens Circle, Mountain Rest, SC 29661. Decision Not Subject to Appeal

Since no comments were received during the 30 day notice and comment period, this decision is not subject to appeal (38 CFR 215.12). Implementation may begin immediately.

The Ocokee County Board of Zoning Appeals will conduct a public hearing on Thursday, December 13th, 2012 at 6:00 p.m. in the Council Chambers of the County Administrative Complex, 415 S. Pine Street, Waltham, SC 29691. The applicant, Highwood Towers LLC, is requesting a Special Exception and Variance, due to the height, regarding a proposed cell tower located at 321 Lawrence Bridge Road TMS# 411-00-01-026. If you would like additional information concerning this request please contact the Community Development Department at 864-682-4210.

The Ocokee County Council will hold a Public Hearing for Ordinance 2012-33 "AN ORDINANCE TO AMEND THE FISCAL YEAR 2012-2013 BUDGET APPROPRIATIONS ORDINANCE FOR OCCOKEE COUNTY IN CERTAIN LIMITED REGARDS AND PARTICIPARS, ONLY, AND OTHER MATTERS RELATED THERETO" on Tuesday, December 18, 2012 at 6:00 p.m. in Council Chambers.

**LEGALS**

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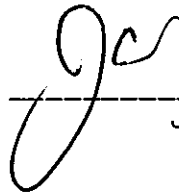
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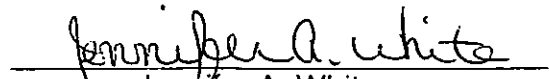
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**LEGALS**

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- Decks
- Handicap Modifications

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US Veteran discount

John 247-ANNO



Oconee County  
Council Office

T. Scott Moulder  
Administrator

Oconee County  
Administrative Offices  
415 South Pine Street  
Walhalla, SC 29691

Phone: 864 718 1025  
Fax: 864 718 1029

E-mail  
[phs@occonee.com](mailto:phs@occonee.com)

Paul Corbett  
Vice Chairman  
District I

Wayne McCall  
District II

Archie Barron  
District III

Joel Thrift  
District IV  
Chairman

Reginald T. Dexter  
District V

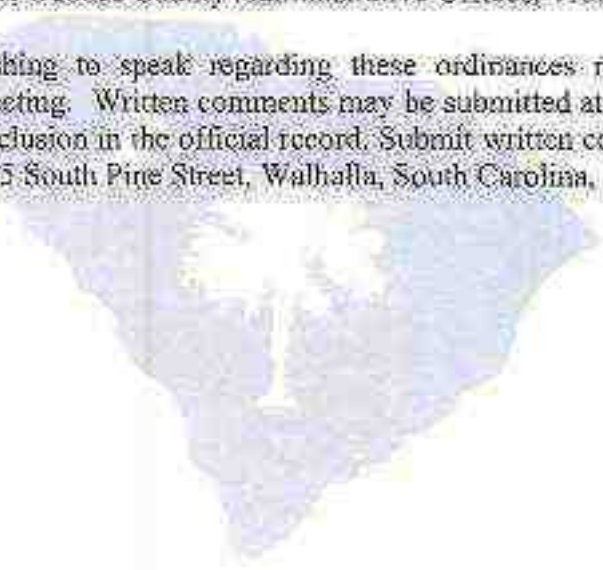
.....LEGAL AD.....

**PLEASE ADVERTISE IN THE NEXT ISSUE  
OF YOUR NEWSPAPER**

**TO: DAILY JOURNAL** [classadmgr@dailyjm.com]  
**DATE: November 26, 2012**

The Oconee County Council will hold a Public Hearing for Ordinance 2012-33 "AN ORDINANCE TO AMEND THE FISCAL YEAR 2012-2013 BUDGET APPROPRIATIONS ORDINANCE FOR OCONEE COUNTY IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY; AND OTHER MATTERS RELATED THERETO" on Tuesday, December 18, 2012 at 6:30 p.m. in Council Chambers, Oconee County Administrative Offices, 415, S. Pine Street, Walhalla, SC.

Citizens wishing to speak regarding these ordinances may do so by signing up at the meeting. Written comments may be submitted at any time prior to the hearing for inclusion in the official record. Submit written comments to the Clerk to Council, 415 South Pine Street, Walhalla, South Carolina, 29691.





**Beth Hulse**

---

**From:** Beth Hulse  
**Sent:** Monday, November 26, 2012 10:28 AM  
**To:** Beth Hulse; classadmgn@upstatetoday.com  
**Subject:** Public Hearing 2012-33 - 12/18/12  
**Attachments:** 112612 - PH 2012-33 - 12-18-12.doc

Please run at your earliest convenience.  
Thanks.

**Elizabeth G. Hulse**  
**Clerk to County Council**  
Oconee County Administrative Offices  
415 South Pine Street  
Walhalla, SC 29691  
864-718-1023  
864-718-1024 [fax]  
[bhulse@oconeesc.com](mailto:bhulse@oconeesc.com)  
[www.oconeesc.com/council](http://www.oconeesc.com/council)

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## Beth Hulse

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**From:** Beth Hulse  
**Sent:** Monday, November 26, 2012 10:29 AM  
**To:** Andrew, Beth Hulse, Chac Dorsett, Greenville News (localnews@greenvillenews.com), LaDonna Becker (ladonna@dailyjm.com), Michael Eads (meads@dailyjm.com), Ray Chandler, Stan Welch, Westminster News / Keowee Courier (westnews@bellsouth.net), WGOG (dickmar.grum@wgog.com), WSPA TV - Channel 7 (assignmentdesk@wspa.com)  
**Subject:** Public Hearing - Ordinance 2012-33

The Oconee County Council will hold a Public Hearing for Ordinance 2012-33 "AN ORDINANCE TO AMEND THE FISCAL YEAR 2012-2013 BUDGET APPROPRIATIONS ORDINANCE FOR OCONEE COUNTY IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY; AND OTHER MATTERS RELATED THERETO" on Tuesday, December 18, 2012 at 6:30 p.m. in Council Chambers, Oconee County Administrative Offices, 415 S. Pine Street, Walhalla, SC.

Citizens wishing to speak regarding these ordinances may do so by signing up at the meeting. Written comments may be submitted at any time prior to the hearing for inclusion in the official record. Submit written comments to the Clerk to Council, 415 South Pine Street, Walhalla, South Carolina, 29691.

### **Elizabeth G. Hulse**

#### **Clerk to County Council**

Oconee County Administrative Offices

415 South Pine Street

Walhalla, SC 29691

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